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STAFF JUDGE ADVOCATE
FORT DETRICK, MD

2004 AUG 17 AM 10: 20

In re Application of
Marcia Wolf et al
Serial No.: 09/479.877
Filed: January 10, 2000
Attorney Docket No.: WRAIR-95-01B

PETITION DECISION

This is in response to the petition under 37 CFR 1.181, filed May 6, 2004, for withdrawal of abandonment of the above identified application based on filing of a timely reply.

A review of the file history shows that the examiner mailed a Notice of Allowance and Issue Fee Due and a Notice of Allowability, requiring new drawings, to applicants on November 3, 2003, setting a three month statutory period for reply. Applicants provide evidence in the form of an Office date stamped postcard and an executed Certificate of Mailing showing that they replied on December 31, 2003, by paying the Issue Fee and submitting a new sheet of drawing. A Notice of Abandonment was mailed to applicants on April 21, 2004, with an attachment dated March 10, 2004, requiring submission of an Abstract. It is not clear if applicants ever received the original mailing which required submission of an Abstract. In any event, the Abstract has now been located and the mailing is considered to have been in error. In view of the timely reply the Notice of Abandonment was mailed in error and is withdrawn and the application is restored to pending status with the mailing of this decision

The petition is **GRANTED**.

The application will be forwarded to Publications Division for printing as a patent.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number, 703-872-9306.

Jasemine C. Chambers
Director, Technology Center 1600

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